

June 4, 2009

Meeting began at 8:05 p.m.

Present: Bill Muse, Mayor; Dennis Bertucci, Gladys LeFevre, Randy Ripplinger, Council Members; Judi Davis, Clerk; Mark McIff, Attorney; Tim Dunn, Bob and Naomi Brems, Jack Pollock, Constance Lynn and Matt Cochran, Tom Jerome, Walt Gove, Kandace and Corry Johnson, Don Montoya, Boz Bosworth and Bobbie Cleave, Pete and Cookie Schaus, Peg Smith, Scott Brodie, visitor.

Pledge of allegiance

Gladys made a motion the minutes of the March 5 meeting be approved as presented. Randy seconded the motion. Voting in favor were Gladys, Randy and Bill. Dennis was not at that meeting and abstained from voting.

Gladys made a motion the minutes of the April 2 meeting be approved as presented. Dennis seconded the motion. Voting in favor were Gladys, Dennis and Bill. Randy was not at that meeting and abstained from voting.

Tom reported there has been significant progress on the improvements at the Town Hall grounds. He has received, through the Park Friends fund, a donation of \$1,500 for playground equipment and one for \$3,000 for sod. Building of the shelter will be held up for a short time because of paperwork. The wall may not be finished soon. He has had a volunteer offer to mow the lawn next week. The walkways will be finished later, after the playground is finished. A new free box has been built and will be placed under the shelter. We may need to have a risk assessment done on the playground to assess the new equipment. Thanks were expressed to Tom, Tim and all the other volunteers who have done so much.

Constance reported on recycling. Boulder has been so supportive of the program (4,000 cubic feet of material) that we are overwhelming Red Rock Recycling (RRR). Her question now is, "How do we keep it going? Our three months' commitment is over at the end of June. Jim Jensen will probably replace the large boxes. We need more official bins and lids on the containers. Bill wondered if we were at the point that Mr. Jensen could take over, and that would cover our costs. Constance said he really isn't on board yet. The girls at RRR were counting on him for a baler and he didn't come through, so they're going another route to get one. Randy said that Mr. Jensen was waiting to see how much was actually being generated in Boulder, then he would know what size baler was needed. He would coordinate with the County, and after a year he would have figures to show them how much was being recycled. He would help us work with the

County. Don reported that RRR had picked up at the Park and suggested that it may be time to revisit the possibility of secondary sites. One problem RRR is having is that some businesses are taking their recyclables to the central location in order to avoid paying their own fee.

Naomi is concerned about the taped signs on the dumpsters. The tape is becoming baked on and pulls the paint off when it comes off. She would like the signs to come off now so they won't ruin the paint that was put on just a few years ago. Constance feels we still need signage to make people aware of recycling. Gladys suggested we have a free-standing sign at each dumpster site. Yesterday Tom talked to the crew who was picking up the recyclables. They want us to separate the aluminum cans from the others. Matt asked anyone who has extra garbage cans with lids to consider donating them to the program. A co-mingled arrangement with big bales of everything would be ideal. Constance said RRR want to keep going, but they need help from the County. Randy will work with Jim Jensen and Constance. Monetary donations would help cover the costs of the program. Constance was thanked for her work on this program.

Scott directed a discussion on the kiosk placement. He spoke with Mike Nelson, who is willing to put the signs at the park outside the fence on the north side of the entrance. That would be Bill's first choice. Dennis said Lisa is willing to have it at her corner. However, that location isn't ideal because of traffic congestion at busy times. Don worried that parking after hours will be a problem, as the "No Parking" signs would prevent people parking to look at the signs. Scott stated that the museum site is John Holland's preference. Dennis made a motion that we request that the signs be placed at Anasazi museum subject to UDOT approval. Randy seconded the motion. The vote was unanimous.

Scott said that UDOT wants to grade, level, and fill the site at the overlook at the top of the rocks and wants to know if the town would give approval. He suggested that someone from the town be there when the UDOT man comes in order that we can see what they want to do. Bill would like to go and will see if he can get someone else to go also. Scott reported that Lochner's will be holding a public hearing here to receive comment on the proposed Highway 12 improvements. There has been some concern about the plans for the head of the rocks and the Hogsback, but the BLM feels those concerns aren't significant. The project hasn't been funded yet. Don is concerned about safety, as the widened pullout areas are being used for hiker parking. Kandace responded that it is legal to park on a highway right-of-way, but after 24 hours the vehicle can be cited or towed if it is a nuisance. Scott said the new project is meant to alleviate these problems.

Walt handed out maps and copies of other documents prior to discussing the Dixie

Motorized Travel Plan. There are two areas of concern.

1. The Boulder Swale Trail is user created. If it is not approved as motorized, there is no way to get between two other separate motorized systems. He asked if we want them to come here. The decision involved consideration of social and economic benefits. Walt and Mark Austin thought they had convinced the decision makers to remove that trail from the system, but it was approved at the last minute, so is probably appealable.
2. The other is Chokecherry Point. The road is promoted as a Boulder Mountain Loop Trail. Walt's perception is that there is a serious safety issue in using the location as a staging area. The loop would go from there to the Garkane Power Plant on the highway, and he feels that gives us grounds to protest. We don't use it a lot, but tourists do. In response to a question as to whether riding ATV's on the highway is legal, Mark responded that they can be legally used on the highway if they are street legal, which means they would have all equipment (such as signal lights,) insurance, etc., that motorcycles are required to have, and the driver has to be licensed. Walt suggested that the loop from Highway 12 to Chokecherry needs to be broken.

He would like written comments from the town. Jack thought we should verify with the state whether they can drive on the highway. Mark responded that the fact is, very few 4-wheelers are street legal. Peg's concern is that, as time passes, there will be more street legal machines. On principal, she feels we need to stand by the decisions we've made in the past and make a statement minimizing the potential impacts. Walt is asking us to vote on his one-sentence proposals, not on the justifications.

Regarding the Great Western ATV trail on the mountain, the first statement ("We strongly urge you to close the Boulder Swale Trail to motorized travel.") is the only way to keep those users from crossing over to our area. Randy objects to having this removed from the system on behalf of his father and other users who have no other way of seeing the country. Walt responded that the issue is ATV tourism as opposed to local use. Kandace thought the loop was to keep people on a trail instead of going all over. Walt stated that the purpose of the Motorized Travel Plan involves a shift in the emphasis in that riders will now be required to stay on signed ATV trails. Mark suggested that, if this is the only place to ride other than Highway 12 and people are trying to get through from one system to the other and this is shut off, then people are going to be riding on the highway. Walt responded that ATV tourism is based on the other side of the mountain and we are not part of ATV tourism and don't want to invite them here when there are other places for them to go. Tom reported on his experience of jeep degradation in Colorado. What we're trying to do here is promote a quiet use and not mingle it with the

noise and dust of motorized use and there are plenty of other places for them to ride. Dennis thinks there are legitimate concerns at Chokecherry, but less for the Boulder Swale. Gladys' opinions as an individual are different than what she thinks will be best for the community. Dennis made a motion we support the second proposal ("We strongly urge that you close the trail from Highway 12 to Chokecherry Point to motorized travel.") on Chokecherry Point for reasons given, and the town should make our voices heard to appropriate authorities. Gladys seconded the motion. The vote was unanimous. We won't support the first request.

The 4th of July was discussed and assignments made. Dennis will be over the parade. Randy will coordinate the food with Judi. Bill will be responsible for the program and the band. Robert Owen will have a group to play and has arranged for several others to provide sets. There will be a good variety of music to appeal to everyone. Tom will give the speech. Gladys will be responsible for the advertising. Wendell will do the setting up with help. Everyone will help fix and serve the meal. We won't have kids games this year. The schedule will be as follows: 4:30 - parade, 5:00 - program, 6:00 - dinner (\$5/plate, \$25/family). The dance will be at 9:00. We will allow groups who want to have fund raising booths. The Boulder Community Alliance has offered to help with the clean up.

The Drains weren't able to come tonight, so we will discuss their situation next month.

We will schedule public hearings on next year's budget and changes to this year's budget for June 18, beginning at 8:00, followed by the meeting to adopt them.

Gladys made a motion we adjourn to executive session. Dennis seconded the motion. Voting in favor were: Gladys, Dennis, Randy, Bill. The Council adjourned to executive session at 9:37. At 9:45, Gladys made a motion open meeting resume. Dennis seconded the motion. Voting in favor were: Gladys, Dennis, Randy, Bill.

Bill appointed Corry Johnson as the new Fire Chief to replace Pete Schaus, who has resigned but will remain as Fire Marshal. Approval of the appointment received unanimous support from the Council. The Mayor thanked Pete for his service and read Pete's letter of resignation. On behalf of the EMT's, Randy thanked Pete and the Fire Department for their help.

Department reports were given. Dennis welcomed the new Fire Chief and gave thanks to Pete for his work. The Department has a request to help with burning weeds, and the landfill needs to be burned.

The Planning Commission approved Gibbs Smith's sign application, contingent upon his

bringing the others into compliance.

We will discuss road matters next month when Wendell is here.

There was discussion on fees for the cemetery. Do we want to collect a plot fee in addition to the opening and closing fee, which is now \$250? It was suggested that we charge a \$300 plot fee in addition to the current fee. Bill suggested a \$300 total charge. This matter will be on next month's agenda, as well as discussion on other cemetery matters.

Building use charges were discussed. It was suggested that there be no charge for use by a group that doesn't charge. There was further discussion, particularly on our liability. Tim Dunn, who is an insurance attorney, suggested that Mark write a letter to the agent of our insurance company asking about our liability for allowing the use of the building and the possible differences in liability whether we charge or not. We will then be covered in any instance even if they don't respond to the letter. We should ask that people leave the building as they found it. We could add a refundable deposit for certain uses.

Changes in election procedures were discussed. Every voter will need ID. We will be impacted by early voting this year. We need two judges for four hours a day, four days a week, for the two weeks preceding the regular voting day, so we need to figure that cost into the budget. Gladys asked about voting by mail and whether it would be cheaper. These are things we need to look into before the budget is set.

Gladys made a motion the meeting adjourn. Randy seconded the motion. The vote was unanimous.

The meeting adjourned at 10:20.

Minutes prepared by Judith Davis, Town Clerk

Approved by Bill Muse, Mayor